craigslist Inc v. McMaster et al Doc. 19

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

craigslist, Inc.,

Plaintiff,

vs.

Henry D. McMaster, in his official capacity as the Attorney General of the State of South Carolina; David Pascoe; Barbara R. Morgan; C. Kelly Jackson; Jay E. Hodge, Jr.; W. Barney Giese; Douglas A. Barfield, Jr.; Trey Gowdy, III; Jerry W. Peace; Scarlett Wilson; Christina T. Adams; Donald V. Myers; Edgar L. Clements, III; Robert M. Ariail; I. McDuffie Stone, III; Gregory Hembree; and Kevin S. Brackett, in their official capacities as South Carolina Circuit Solicitors,

Defendants.

Civil Action No. 2:09-cv-01308-CWH

MOTION FOR ENLARGEMENT OF TIME OF DEFENDANTS ATTORNEY GENERAL AND SOLICITORS

The Defendants Attorney General and the sixteen Circuit Solicitors[1] hereby move for an enlargement of time to file their Reply to Plaintiff's Return to Defendants' Motion to Dismiss. In compliance with Local Rule 6.01, DSC, the Defendants note the following:

1. The current deadline for filing the Reply brief would be five days after the filing of Plaintiff's Return to the Motion to Dismiss with additional days for intervening weekends and holidays under Rule 6, FRCP. The current deadline for Plaintiff's

[1] J. Strom Thurmond was elected as Solicitor for the Second Judicial Circuit upon the retirement of Barbara Morgan, and William B. Rogers, Jr., was elected as Solicitor for the Fourth Judicial Circuit upon the retirement of Jay E. Hodge, Jr.

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Return is August 31, 2009, and Plaintiff's counsel has informed counsel for Defendants that he does not anticipate requesting an enlargement of time for that deadline. Therefore, the Defendants' Reply would be due on September 8, 2009, if the Return is filed on the 31st.

2. The Reply deadline has not been previously extended, but the Court previously extended the time for Defendants to file their Motion to Dismiss and for Plaintiff to file its Return.

3. The number of additional days requested are six days. The proposed date for the filing of the Defendants' Reply is September 14, 2009.

4. This extension would not affect other deadlines because no scheduling order has been issued.

5. This time will be needed to adequately address this case because of the intervention of the Labor Day weekend and the schedules of counsel for the Defendants. Knowing in advance whether the enlargement of time will be granted will assist counsel for Defendants with planning.

6. Pursuant to Local Rule 7.02, DSC, the undersigned has consulted with Plaintiff's counsel and that attorney does not oppose this motion.

7. Pursuant to Local Civil Rule 7.04, DSC, no memorandum is filed herewith as this motion is self-explanatory.

Therefore, the Defendants respectfully request that their request for enlargement of time be granted so that they may file their Reply on September 14, 2009.

Respectfully submitted,

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August 21, 2009